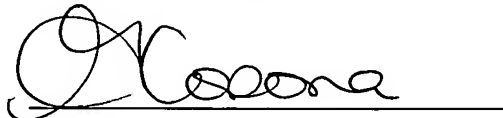


CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
UNDER 37 C.F.R. § 1.10

Express Mail mailing label number: EV 305596574US Date of Mailing: 11 December 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service, utilizing the "Express Mail Post Office to Addressee" service addressed to Mail Stop Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, and mailed on the above Date of Mailing with the above "Express Mail" mailing label number.



ONYX1033-CIP2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Leisa Johnson  
Ali Fattaey  
Terry Hermiston  
Jerry Yuqiao Shen  
Sylvie Laquerre

PATENT APPLICATION

Examiner: Unassigned

Art Unit: 1632

SC/Serial No.: Unknown

Filed: December 11, 2003

Title: AN ONCOLYTIC ADENOVIRUS

DECLARATION FOR C-I-P PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (**if only one name is listed below**), first and joint inventor (**if plural names are listed below**) of the subject matter which is claimed and for which a patent is sought on the invention of the present application:

Title of invention and of present application:

AN ONCOLYTIC ADENOVIRUS

The specification of the present application (check all that apply):

☒ is filed herewith;

☒ is a continuation-in-part of U.S. Serial No. 10/303,598 ; filed November 25, 2002 ; which is a continuation-in-part of U.S. Serial No. 09/714,409 , filed November 14,

2000; which claims priority to U.S. Provisional Application No. 60/165,638; filed November 15, 1999.

I have reviewed and understand the contents of the above-identified specification for the present application, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the examination of the present application in accordance with Title 37, Code of Federal Regulations, §1.56.

This present application in part discloses and claims subject matter disclosed in, and I hereby claim the benefit under Title 35, United States Code §120 of any United States prior application(s) listed below:

(1) <u>10/303,598</u> (SC/Serial No.)	<u>November 25, 2002</u> (Filing Date)	<u>Pending</u> (Status-pending)
(2) <u>09/714,409</u> (SC/Serial No.)	<u>November 14, 2000</u> (Filing Date)	<u>Pending</u> (Status-patented, pending, abandoned)

Insofar as the subject matter of each of the claims of the present application is not disclosed in the United States prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations §1.56 which occurred between the filing date(s) of the prior application(s) and the national or PCT international filing date of this present application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the present application or any patent issuing thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint **Gregory Giotta, Reg No. 32,028** and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith

Full name of sole  
or first inventor: LEISA JOHNSON

Residence: 574 Francis Drive, Lafayette, California 94549

Post Office Address:  
574 Francis Drive, Lafayette, California 94549

Citizenship: United States of America

Inventor(s) signature: \_\_\_\_\_ Date \_\_\_\_\_

Full name of second  
joint inventor: ALI FATTAEY

Residence: 3107 Washington Street, San Francisco, California 94115

Post Office Address: 3107 Washington Street, San Francisco, California 94115

Citizenship: United States of America

Inventor(s) signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full name of third  
joint inventor: TERRY HERMISTON

Residence: 9 Seamast Passage, Corte Madera, California 94925

Post Office Address: 9 Seamast Passage, Corte Madera, California 94925

Citizenship: United States of America

Inventor(s) signature: \_\_\_\_\_ Date \_\_\_\_\_

Full name of fourth  
joint inventor: JERRY YUQIAO SHEN

Residence: 2 Lloyd Lane, Orinda, California 94563

Post Office Address: 2 Lloyd Lane, Orinda, California 94563

Citizenship: United States of America

Inventor(s) signature: \_\_\_\_\_ Date \_\_\_\_\_

(  
Full name of fifth  
joint inventor: SYLVIE LAQUERRE

Residence: 402 West Fifth Avenue, Conshohocken, PA 19428

Post Office Address: 402 West Fifth Avenue, Conshohocken, PA 19428

Citizenship: Canada

Inventor(s) signature: \_\_\_\_\_ Date \_\_\_\_\_